



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

Application Granted

Valerie Figueredo, U.S.M.J.

DATED: 3-19-2024

The extension requested herein is granted. The Clerk of Court is directed to terminate the motion at ECF No. 74.

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March 15, 2024

VIA ECF

Honorable Valerie Figueredo
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Andre Jamel Davis v. Sgt. Horton, et al.,
23 Civ. 00885 (JPC) (VF)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney for NYPD defendants Sergeant Horton and Officers Gonzalez, Sedita and Jean Calle ("defendants") in the above-referenced matter. Defendants write to respectfully request a brief one-week extension of time, from March 18, 2024 until March 25, 2024, to submit their opening motion papers in anticipation of defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). This is the first request of its kind and plaintiff Andre Jamel Davis consents to this request.

The reason for this instant request is that additional time is needed to fully and thoroughly address all of the allegations set forth in the operative second amended complaint, notably, plaintiff's allegations against the individual defendants which relate to plaintiff's traffic stop incident and subsequent damages after the officers' involvement in the incident had allegedly concluded. Accordingly, defendants respectfully request a one-week extension of time from March 18, 2024, to March 25, 2024, to submit their opening motion papers in anticipation of their motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). If the Court is inclined to grant this request, the parties respectfully submit the revised briefing schedule set forth below for the Court's endorsement.

Defendants' Opening Brief: March 25, 2024

Plaintiff's Opposition: April 22, 2024

Defendants' Reply: May 15, 2024

I thank the Court for its time and consideration to this matter.

Respectfully submitted,

/s/ Eun Jee (Esther) Kim

Eun Jee (Esther) Kim

Assistant Corporation Counsel

Special Federal Litigation Division

cc: **VIA FIRST CLASS MAIL**

Andre Jamel Davis

Plaintiff pro se

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